

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Synovus Bank, formerly known as)	Civil Action No. 4:11-cv-01544-RBH
Columbus Bank and Trust, as successor)	
in interest through name change and by)	
merger with The National Bank of South)	
Carolina,)	
)	
Plaintiff/Counter-Defendant,)	
)	
vs.)	
)	
Peggy M. Greene, Individually and a)	
Successor Trustee Under Trust)	
Agreement dated May 23, 1996 and S.C.)	
Credit Corporation d/b/a Heritage)	
Finance Corporation, and Sunbelt)	
Finance Corporation d/b/a Sunshine)	
Finance Corporation,)	
)	
Defendants/Counter-Plaintiffs/Third-)	
Party Plaintiffs,)	
)	
vs.)	
)	
Synovus Securities, Inc.,)	
)	
Third-Party Defendant)	

**CONSENT ORDER REGARDING MOTION TO REMAND AND MOTION TO
COMPEL ARBITRATION**

This matter was removed from the South Carolina Court of Common Pleas by Third-Party Defendant Synovus Securities, Inc. ("SSI") on June 24, 2011. (Dkt. 1). Plaintiff/Counter-Defendant Synovus Bank, formerly known as Columbus Bank and Trust, as successor in interest through name change and by merger with The National Bank of South Carolina ("NBSC") consented to

the removal. (Dkt. 5). Defendant, Counter-Plaintiff and Third-Party Plaintiffs Peggy M. Greene, Individually and a Successor Trustee Under Trust Agreement dated May 23, 1996 and S.C. Credit Corporation d/b/a Heritage Finance Corporation, and Sunbelt Finance Corporation d/b/a Sunshine Finance Corporation (collectively "Greene Defendants") moved to remand the matter on July 19, 2011. (Dkt. 20). On August 8, 2011, SSI moved to compel arbitration. (Dkt. 24). The matters were fully briefed, and this Court set a hearing on these matters for October 31, 2011. On October 28, 2011, the Parties informed the Court that the Parties had reached an agreement that would resolve the pending motions.

The Greene Defendants have withdrawn their opposition to arbitration, and consent to arbitrate their claims against SSI only. SSI has agreed to toll any applicable statute of limitations for sixty days from the date of entry of this Order. Therefore, the Motion to Compel Arbitration is moot, and the Greene Defendants' claims are dismissed without prejudice.

The Greene Defendants also have agreed to dismiss without prejudice their counterclaims under the 1934 Securities Exchange Act against Plaintiff/Counter-Defendant NBSC and, as a result, NBSC has agreed to the remand of this case.

CONCLUSION

Based on the foregoing as well as all filings by all parties in this matter, and with consent of all Parties, the Court hereby dismisses the Greene Defendants' claims against SSI without prejudice based on the agreement between the Greene Defendants and SSI to arbitrate their claims. The Court also dismisses without prejudice the Greene Defendants' Exchange Act claim against NBSC, and upon the consent of the parties remands to the South Carolina Court of Common Pleas the remaining claims by NBSC against the Greene Defendants and by the Greene Defendants against NBSC.

IT IS SO ORDERED.

Florence, SC
November 8, 2011

s/ R. Bryan Harwell
United States District Court Judge

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